

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SUMMIT FAMILY MEDICAL	:	CIVIL ACTION
PRACTICE, P.C.	:	
	:	
v.	:	
	:	
THE PHILADELPHIA	:	
CONTRIBUTIONSHIP INSURANCE	:	
COMPANY	:	NO. 02-3783

ORDER

AND NOW, this 16th day of October, 2002, upon consideration of Plaintiff's Motion to Compel Discovery (Doc. No. 15), and the Court finding that:

(a) Discovery was scheduled to conclude on September 30, 2002, and thus under our scheduling Order is closed;

(b) On September 23, 2002, plaintiff served on defendant interrogatories and requests for production of documents;

(c) Defendant did not file any response, nor did defendant file any objections, thereto;

(d) However, defendant wrote in a September 24, 2002 letter to plaintiff, "Given the lateness of the day, I do not anticipate us providing you any discovery of any kind";

(e) Under Local Rule 26.1(g), a Court may summarily grant or deny a routine motion to compel answers to interrogatories or responses to requests for production without waiting for a response where it is averred that no timely response or objection has been served;

(f) Since defendant has stated that it will not be responding to the discovery requests, under Local Rule 26.1(g),¹ we are treating the discovery requests as unresponded to and shall grant plaintiff's motion to compel as uncontested;

It is hereby ORDERED that:

1. Plaintiff's Motion to Compel Discovery is GRANTED;
2. Accordingly, defendant shall SERVE plaintiff with complete responses to the discovery requests by November 1, 2002;
3. Our scheduling Order dated July 31, 2002 is AMENDED to the following extent:
 - a. Discovery shall CONCLUDE by November 1, 2002;
 - b. The parties shall FILE their joint stipulation of facts by November 15, 2002;
 - c. Any motions for summary judgment shall be FILED by December 2, 2002; and
 - d. Any responses thereto shall be FILED by December 16, 2002.

BY THE COURT:

Stewart Dalzell, J.

¹ Additionally, plaintiff sent defendant a letter dated October 7, 2002 stating "From the tone of your letter, it appears that you are refusing to answer discovery. Unless I hear to the contrary I will seek a judicial conference," to which defendant did not respond.